



United States Patent and Trademark Office

Trademark Electronic Application System - TEAS Application



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PTO Form 1957 (Rev 10/2011)  
OMB No. 0651-0050 (Exp. 07/31/2017)

## Response To Office Action

TEAS - Version 5.3 : 01/17/2015

### GENERAL FORM INFORMATION:

- **60 MINUTE TIME LIMIT:** This form "times-out" 60 minutes after accessing this page unless you [extend the time limit](#) when the time-out warning appears on screen. To avoid timing out, please have all information ready before starting your session.
- **DO NOT USE YOUR BROWSER BACK/FORWARD BUTTONS:** Use only the navigation buttons at the bottom of each page.
- **TIPS ON USING THIS FORM MOST EFFECTIVELY:** [Click here](#) or on any underlined word for additional information.
- **REQUIRED FIELDS:** All have an **ASTERISK (\*)**, and the form will not validate if these fields are not filled-out.

### FOLLOW THE 4 STEPS TO ACCESS THE RESPONSE FORM:

#### STEP 1: CHECK STATUS.

To use this form, the "Current Status" of your application must be "A Non-final Action has been mailed." [Click here](#) to confirm the status before proceeding. If the application is not in the correct status, you must wait until the status is updated (usually 48-72 hours after receiving an e-mail notice that an Office action has issued). Otherwise, you will receive an error message when you click the "Continue" button at Step 4.

#### STEP 2: ENTER APPLICATION SERIAL NUMBER BELOW OR ACCESS PREVIOUSLY FILLED-OUT/SAVED FORM.

\* **Serial Number:**

*(Do not enter serial number if you are accessing your saved form.)*

OR

To access **previously-saved data**, use the "Browse/Choose File" button below to access the file from your local drive, and then click the "Continue" button at Step 4. You cannot change your answers to the form wizard questions at Step 3; however, you *can* change data within an existing section(s) of a saved form. To introduce a completely new section, you must start a new form. For further instructions for retrieving your saved data, click [here](#). You must follow these instructions to ensure that you can view your data in the expected editable format.

NOTE: This button should **not** be used to attempt to upload or attach any other file, for example, a specimen image or a foreign registration certificate. For these or any other types of attachments, after answering "Yes" to the appropriate wizard question(s), you can then attach the file within the specific part of the form relating to that issue.

Continue

[Burden/Privacy Statement](#) | [TEAS Form Burden Statement](#)

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**Important:** ONCE A RESPONSE IS SUBMITTED ELECTRONICALLY, THE OFFICE WILL IMMEDIATELY PROVIDE THE SENDER WITH AN ELECTRONIC ACKNOWLEDGMENT OF RECEIPT OF THE response. Please contact [teas@uspto.gov](mailto:teas@uspto.gov) within 24 hours of transmission (or by the next business day) if you do not receive this acknowledgment.

### Contact Points:

**i** For **general** trademark information, please e-mail [TrademarkAssistanceCenter@uspto.gov](mailto:TrademarkAssistanceCenter@uspto.gov), or telephone 1-800-786-9199. If you need help in resolving **technical** glitches, please e-mail [teas@uspto.gov](mailto:teas@uspto.gov). Please include your telephone number in your e-mail, so we can talk to you directly, if necessary. For **status** information on an application that has an assigned serial number, use <http://tsdr.uspto.gov>.

**NOTE:** Do NOT attempt to check status until at least 72 hours after submission of a filing, to allow sufficient time for our databases to be updated.

### \* Instructions:

To file the response form electronically, please complete the following steps:

1. Fill out all relevant fields.
2. Sign the response form on the Signature Page. If the desired signatory is not available to sign the application, there are three options available:
  1. To electronically forward the Signature Page to the signatory, use the Text Form option on the Signature Page for an electronic signature.
  2. To mail or fax to the signatory, use the Handwritten pen-and-ink signature option on the Signature Page for the traditional "pen-and-ink" signature.
  3. To electronically save the form, use the Download Portable Data option on the Validation Page.
3. Validate the form by selecting the "Continue" button on the Signature Page.
4. On the Validation Page, it is critical to confirm that all information is displayed properly immediately before filing, regardless of the appearance of the data at any point earlier in the process. If any previously-entered argument text or image files (e.g., evidence) are now missing, you must re-enter or re-attach before final submission. Otherwise, the USPTO will **not** receive a complete response. *E.g.*, if you initially pasted text into the argument field, but the argument section is now blank, you **must** paste it in again after final validation but before actual submission of the response, or the USPTO will not receive that text at all.
5. Click on the Pay/Submit button at the bottom of the Validation Page. If a fee payment is required, this will allow you to choose from 3 different payment methods: credit card, automated deposit account, or electronic funds transfer. Access the proper screen for payment, and make the appropriate entries. If your transmission is successful, you will receive a SUCCESS! Page.
6. You will receive an e-mail acknowledgement of your submission.

Serial Number

Mark

Currently Authorized Correspondence  
E-mail Address

Primary Email Address:

**NOTE:** If the e-mail address listed above is either no longer correct for receiving USPTO correspondence or contains a typographical error, answer YES to the form wizard question "Do you need to change correspondence address" and then make the appropriate change in the "Correspondence Section" of the form, along with a reauthorization for the USPTO to communicate with you by e-mail.

**WARNING:** For an application filed under TEAS Plus or TEAS RF, the failure to maintain a correct e-mail address for ongoing e-mail communication will result in the loss of TEAS Plus or TEAS RF status and a requirement to pay \$50 per class processing fee.



**STEP 3: ANSWER ALL WIZARD QUESTIONS.**

You must answer all wizard questions appearing directly below, now currently set on "No" as a default (unless you are accessing a previously filled-out/saved form, then see STEP 2, *above*). At least one answer must be "Yes" or your response will be completely blank. You should review the Office action and then answer "Yes" to any question that directly relates to a requirement and/or refusal raised in the Office action. You must respond explicitly to **each** refusal and/or requirement; that is, if the examining attorney requires specific wording, you must enter that wording in the proper place in the form.

**A RESPONSE WITH ONLY YOUR SIGNATURE IS NOT ACCEPTABLE.** Merely providing a response with a signature and no other information, or authorizing the examining attorney to make any necessary changes to the application *without specifying the exact changes*, is not a proper response to the Office action (except if the *only* issue raised was that the original filing was unsigned, improperly signed, or lacked the required declaration language).

**1. Do you need to respond to a refusal to register your mark, including (but not limited to) a possible finding that your mark appears to be:**

- likely to cause confusion with another mark(s)
- merely descriptive (or generic) or deceptively misdescriptive
- primarily merely a surname
- geographically descriptive or geographically deceptively misdescriptive
- deceptive
- functional
- multiple marks instead of a single mark
- a protected symbol (e.g., a flag, the Red Cross)
- used in a manner that would not be perceived as actually being a trademark/servicemark\*

You must answer "Yes" to this question to **submit your arguments against the refusal**, and if necessary, attach **supporting evidence**, to attempt to convince the examining attorney to withdraw the refusal.

\*NOTE: To submit a "substitute specimen" to overcome a refusal, also answer "Yes" to #2.

☐ Yes ☒ No

**2. Do you need to do any of the following:**

- [change/delete an existing class number](#)\*
- [modify the identification of goods and/or services](#)\*\*
- [change filing basis](#)
- [add/modify dates of use](#)
- [submit a new or substitute specimen](#)
- [submit a foreign registration certificate](#)

\*NOTE: To *ADD* a new class, answer "Yes" to #6, and to pay fee(s) for additional class(es), answer "Yes" to #7.

\*\*NOTE: You may only modify the identification of goods/services to clarify or limit the goods/services; adding to or broadening the scope of goods/services is **not** permitted.

☐ Yes ☒ No

**3. Do you need to add or delete (withdraw) any of the following:**

NOTE: ALL of the below will display within the "Additional Statement(s)" section of the form, *even when only one is appropriate and should be selected*.

- Disclaimer
- Colors claimed as feature of the mark
- Description of the mark (including nature and location of color(s)), if appropriate)\*
- Stippling statement
- Claim of prior registration(s)
- Translation/Transliteration
- Meaning and/or significance of wording, letter(s), and/or numeral(s) in the mark
- Section 2(f) claim
- Consent to register name(s), likeness(es), signature(s) of individual(s)

**Supplemental Register amendment**

- **Concurrent use claim**
- **Miscellaneous statement\*\***

**\*NOTE:** Do **not** use this section if you are also answering "Yes" to Question #4, *below*, which will then provide this field. Use this **only** if adding or modifying an existing description **but not attaching a new mark image**.

**\*\*NOTE:** The miscellaneous statement field includes the ability to attach a file, for example, to provide requested product literature. Do **not** use this section for attachments where a specific different section for the purpose already exists, for example, submission of a substitute specimen in #2, *above*. This field may also be used to request **DELETION (WITHDRAWAL)** of an additional statement currently of record, for example, a disclaimer (see specific instructions within form).

☐ Yes ☒ No

**4. Do you need to submit a new drawing of the mark, either to [change the mark itself](#) or [submit a better quality image](#)?**

**NOTE:** A material change to your mark is never permissible. Only minor changes in the mark are *sometimes* permitted. A drawing must be in JPG format.

☐ Yes ☒ No

**5. Do you need to correct or change the [applicant's name or entity information](#) or provide missing applicant or entity information?**

☐ Yes ☒ No

**6. Do you need to [ADD a new class\(es\) of goods and/or services](#)?**

**NOTE:** You may **not** add class(es) or goods/services to broaden the scope of the original identification of goods/services.

**NOTE:** To pay the fee(s) for adding class(es), answer "Yes" to #7. To change an existing classification number or delete goods/services, answer "Yes" to #2.

☐ Yes ☒ No

If the answer is Yes, enter the number of classes:

**7. Do you need to submit a fee for: (1) an existing or additional class of goods/services; (2) [failing to satisfy the requirements of TEAS Plus or TEAS RF](#); and/or (3) processing a payment that has been [refused or charged back](#)?**

☐ Yes ☒ No

**8. Is a [newly appearing attorney](#) filing(*i.e.*, a person not the subject of an applicant-signed appointment filed prior to this submission) this form?**

**WARNING:** Answer YES to this question **only** if one of the three requirements set forth in the underlying help text for "newly appearing attorney" has been satisfied. Failure to satisfy one of the three requirements may result in a later determination that this submission is incomplete and/or not in compliance with the minimum filing requirements.

☐ Yes ☒ No

**9. Do you need to change [correspondence address](#) (includes e-mail address)?**

☐ Yes ☒ No



10. Do you need to submit a [Signed Declaration](#) to verify an application?

**NOTE:** Answer "Yes" to this question if the application was unsigned, improperly signed, or lacked the required declaration language.

☐ Yes ☒ No

**STEP 4: ACCESS ACTUAL RESPONSE FORM.**  
Click on the "Continue" button below to access the response form for entering your information.

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**Response To Office Action**

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**ARGUMENT(S)**

**NOTE:** Should you wish to present your argument as a PDF attachment, rather than as direct text entry, you may do so within the "Evidence Section," below. For more information on this approach, click [here](#).

**EVIDENCE****Evidence File**

Click on the 'Attach' button to select the file in JPG/PDF format (not exceeding 5 megabytes per attachment) or .WAV, .WMV, .WMA, .MP3, .MPG, or .AVI format (not exceeding 5 megabytes for sound files or 30 megabytes for motion files).

WARNING: Submission of an overall response as a PDF file is **NOT** permissible; i.e., do not use this section, or any other section, of the form to attach a multi-page document consisting of arguments, evidence, revised identifications of goods/services, additional statements, etc. Any portion of this form that exists for a specific purpose must be used for that purpose, rather than trying to "shoehorn" a complete ROA within one PDF file. **FAILURE TO FOLLOW THIS INSTRUCTION WILL CAUSE SIGNIFICANT DELAYS IN THE PROCESSING AND REVIEW OF YOUR RESPONSE.** For complete requirements concerning PDF files, click [here](#).

**Evidence**


0 file(s) attached

**Describe what the evidence submitted consists of:**



[Burden/Privacy Statement](#) | [TEAS Form Burden Statement](#)
[Help Desk](#) | [Bug Report](#) | [Feedback](#) | [TEAS Home](#) | [Trademark Home](#) | [USPTO](#)



Response To Office Action

Entering your argument(s)

- 1. In the free-text area below, enter your argument(s) in support of registration. You may either type directly into the box, or cut-and-paste from another document into this box.
- 2. If your browser version supports the enhanced functionality of this section, you can format your entry, using the various editing keys displayed above the text entry area (for font, size, color, bold, italics, etc.). Do NOT include any html or other programming code or language that may create links within the argument section.
- 3. If no editing keys are displayed above the text entry box, then your current browser version does not support the enhanced text-editing functionality. You may wish to upgrade to a higher browser level. You may still use the box for entry of your argument(s), but no formatting beyond conventional spacing will be possible. Again, do NOT include any html or other programming code or language that may create links within the argument section.
- 4. When you have completed entry of your entire argument(s), click on the **"Save and Return to Form"** button, above the text entry box. Do not use the "X" button within the browser to close the window, as this may delete all entered information. The form will retain any formatting you have used, viewable through the icons on the Validation page upon completion and validation of this form.
- 5. At the point of final validation, it is critical to confirm that **all** information is displayed properly immediately before filing, *regardless* of the appearance of the data at any point earlier in the process. If any previously-entered argument text or files (e.g., evidence) are now missing, you must re-enter or re-attach before final submission. Otherwise, the USPTO will not receive a complete response. *E.g.*, if you initially pasted text into the argument field, but the argument section is now blank, you **must** paste it in again after final validation but before actual submission of the response, or the USPTO will **not** receive that text at all.

Save and Return to Form

When you have completed entry of your entire argument(s) below, click on this button. Do not use the "X" button within the browser to close the window, as this may delete all entered information.

Style            Font Type            Font Size

Normal

Font

Size







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**CLASSIFICATION AND LISTING OF GOODS/SERVICES****Enter information for the Original Class**

☐ Check here to delete the following class of goods/services from your application. If checked, it is not necessary to modify the current class below.

☐ Check here to modify the current classification number; listing of goods/services; dates of use; and/or filing basis; or to submit a substitute specimen or foreign registration certificate. If not checked, the changes will be ignored.

Original International Class : 025

\*International Class:  (Enter class number 001- 045, A, B and 200)**\*Listing of Goods/Services**

[NOTE: Do not enter a Class or any other code in the field below. You must enter only the common commercial name for the specific goods and/or services associated with the mark. Also, do not include any html or other programming code or language that may create links in the listing of goods and/or recitation of services]. For more information about acceptable language for the goods and/or services, see the USPTO's on-line [Goods and/or Services Manual](#). If entering multiple listings of goods/services, please separate with a semi-colon (;), NOT a comma.

**WARNING:** Your entry may NOT exceed the scope of your original identification. While you may modify the original listing to clarify or remove goods/services, you may NOT at this point ADD goods or services. A new filing would be required to cover any new goods or services.

**WARNING: Registration Subject to Cancellation for Fraudulent Statements**

You must ensure that statements made in filings to the USPTO are accurate, as inaccuracies may result in the cancellation of a trademark registration. The lack of a bona fide intention to use the mark with **all** goods and/or services included in an application, or the lack of use on **all** goods and/or services for which you claim use, could jeopardize the validity of the registration and result in its cancellation.

☒ **Filing Basis Section 1(a), Use in Commerce:** The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. **WARNING:** If you filed your original application under Section 1(b), Intent to Use, do **not** use this form to submit dates of use and a specimen, unless responding to a specimen issue created by an already filed Allegation of Use. Otherwise, you must file the specific [Allegation of Use](#) form (Statement of Use/Amendment to Allege Use). Filing an Allegation of Use is not a proper response to an Office action.

Date of First Use of Mark Anywhere by the applicant, or the applicant's related company, licensee, or predecessor in interest at least as early as  (MMDD/YYYY)

Date of First Use of Mark Commerce by the applicant, or the applicant's related company, licensee, or predecessor in interest at least as early as  (MMDD/YYYY)

**Specimen File**

**NOTE:** For an **instructional video** on what is an appropriate specimen for a good or service, [click here](#). (To view video, you must have Windows Media Player installed. For information about downloading Windows Media Player, [click here](#).)

Click on the 'Attach' button to select the file in JPG/PDF format (not exceeding 5 megabytes per attachment) or .WAV, .WMV, .WMA, .MP3, .MPG, or .AVI format (not exceeding 5 megabytes for sound files or 30 megabytes for motion files).

**WARNING:** Submission of an overall response as a PDF file is **NOT** permissible; i.e., do not use this section, or any other section, of the form to attach a multi-page document consisting of arguments, evidence, revised identifications of goods/services, additional statements, etc. Any portion of this form that exists for a specific purpose must be used for that purpose, rather than trying to "shoehorn" a complete form within one PDF file.

**FAILURE TO FOLLOW THIS INSTRUCTION WILL CAUSE SIGNIFICANT DELAYS IN THE PROCESSING AND REVIEW OF YOUR RESPONSE.** For complete requirements concerning PDF files, [click here](#).

Click here to attach Specimen(s)

0 file(s) attached

Describe what the specimen submitted consists of:



\*If [additional or new specimen\(s\)](#) is/are being submitted, check the statement below to support the submission (the required declaration will automatically appear at the end of the form):

☐ **"The substitute (or new, if appropriate) specimen(s) was/were in use in commerce at least as early as the filing date of the application" [for an application based on Section 1(a), Use in Commerce] OR "The substitute (or new, if appropriate) specimen(s) was/were in use in commerce prior either to the filing of the Amendment to Allege Use or expiration of the filing deadline for filing a Statement of Use" [for an application based on Section 1(b) Intent-to-Use].**

☒ **Filing Basis Section 1(b)**, Intent to Use: The applicant has had a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services as of the application filing date. (15 U.S.C. Section 1051(b)).

**WARNING:** If your goods or services for this class are already based on Section 1(a), use in commerce, do not also check this basis for the identical goods or services.

**WARNING:** If you select this option, additional filing(s) and fee(s) will be required when you begin use of the mark in commerce in order to receive a registration. For more information, [click here](#) (see first and second forms on linked page).

☐ **Filing Basis Section 44(d)**, Priority based on foreign filing: Applicant has a bona fide intention to use the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application, and asserts a claim of priority based upon a foreign application. 15 U.S.C. Section 1126(d), as amended.

Foreign Application Number

Note: The USPTO database can only store 12 characters for this field. You should adjust your entry if possible, eliminating any unnecessary leadings 0's or country abbreviations, for example.

Date of Foreign Filing  (MM/DD/YYYY)

Country of Foreign Application

☐ At this time, the applicant does NOT intend to rely on Section 44(e) as a basis for registration, but wishes only to assert a valid claim of priority.

**WARNING:** Do NOT check this box if the Section 44(d) basis is the **ONLY** basis either for the overall application or a specific good or service.

☐ **Filing Basis Section 44(e)**, Based on Foreign Registration: Applicant has a bona fide intention to use the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application, and either attaches a copy of the foreign registration certificate, and translation thereof, or will submit a copy of the foreign registration/translation before the application may proceed to registration, in accordance with 15 U. S.C. 1126(e), as amended.

Foreign Registration Number

Note: The USPTO database can only store 12 characters for this field. You should adjust your entry if possible, eliminating any unnecessary leadings 0's or country abbreviations, for example.

Foreign Registration Date  (MM/DD/YYYY)

Date Foreign Registration Renewed  (MM/DD/YYYY)

(if applicable)

Expiration Date of Foreign Registration  (MM/DD/YYYY)

Country of Foreign Registration

[Attach Foreign Registration](#)

**WARNING:** Submission of an overall response as a PDF file is **NOT** permissible; i.e., do not use this section, or any other section, of the form to attach a multi-page document consisting of arguments, evidence, revised identifications of goods/services, additional statements, etc. Any portion of the this form that exists for a specific purpose must be used for that purpose, rather than trying to "shoehorn" a complete form within one PDF file. **FAILURE TO FOLLOW THIS INSTRUCTION WILL CAUSE SIGNIFICANT DELAYS IN THE PROCESSING AND REVIEW OF YOUR RESPONSE.** For complete requirements concerning PDF files, click [here](#).

**WARNING:** The file size cannot exceed 5 megabytes per attachment.

Click here to Attach Foreign Registration(s)

0 file(s) attached

☐ Check here if the foreign registration that is the basis of the U.S. application under §44(e) of the Trademark Act (15 U.S.C. §1126(e)) includes a claim of standard characters or the country of origin's standard character equivalent.

**WARNING:** If this box is NOT checked, then the designation of the mark as "Standard Character Mark" will automatically be changed from "YES" to "NO."





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**ADDITIONAL STATEMENT(S)**

**Note:** The declaration required to support a Section 2(f) (or in part) claim (based on use) will automatically appear at the end of this form.

**Note:** To **delete (withdraw)** an additional statement that is already in the record (e.g., a disclaimer), use the "MISCELLANEOUS STATEMENT" field, below.

**Note:** As a general rule, include only words that are in the mark, or translations and transliterations of those words, within quotation marks in the text boxes below.

**DISCLAIMER:** No claim is made to the exclusive right to use  apart from the mark as shown.

☐ **STIPPLING AS A FEATURE OF THE MARK:** The stippling is a feature of the mark and does not indicate color.

☐ **STIPPLING FOR SHADING:** The stippling is for shading purposes only.

**PRIOR REGISTRATION(S):** The applicant claims ownership of U.S. Registration Number(s)   .

**NOTE:** Entry must not include any commas, and must be 7 numerals long (if necessary, add leading 0's to number, e.g., 0086417).

☐ and others: Check here to indicate there are additional prior U.S. Registration Number(s).

**TRANSLATION:**

The English translation of  in the mark is .

The wording  has no meaning in a foreign language.

**TRANSLITERATION:** (NOTE: Not required for any standard character marks.)

The non-Latin characters in the mark transliterate to  and this means  in English.

The non-Latin characters in the mark transliterate to  and this has no meaning in a foreign language.

**SIGNIFICANCE OF WORDING, LETTER(S), OR NUMERAL(S):**

appearing in the mark means or signifies or is a term of art for  in the relevant trade or industry or as applied to the goods/services listed in the application.

appearing in the mark has no significance nor is it a term of art in the relevant trade or industry or as applied to the goods/services listed in the application, or any geographical significance.

The word(s)  has no meaning in a foreign language.

☐ **§2(f) Claim of Acquired Distinctiveness, based on Use:** The mark has become distinctive of the goods/services through the applicant's substantially exclusive and continuous use in commerce that the U.S. Congress may lawfully regulate for at least the five years immediately before the date of this statement.

**§2(f) Claim of Acquired Distinctiveness, based on Prior Registration(s):** The mark has become distinctive of the goods/services as evidenced by the ownership on the Principal Register for the same mark for related goods or services of U.S. Registration No(s) .

☐ **§2(f) Claim of Acquired Distinctiveness, based on Evidence:** The mark has become distinctive of the goods/services, as demonstrated by the attached evidence.

Click Here to Add Remarks (307) Online

**§2(f) Claim of Acquired Distinctiveness, IN PART, based on Use:**  has become distinctive of the goods/services through the applicant's substantially exclusive and continuous use in commerce that the U.S. Congress may lawfully regulate for at least the five years immediately before the date of this statement.

**§2(f) Claim of Acquired Distinctiveness, IN PART, based on Prior Registration(s):**  has become distinctive of the goods/services as evidenced by the ownership on the Principal Register for the same mark for related goods or services of U.S. Registration No(s) .

**§2(f) Claim of Acquired Distinctiveness, IN PART, based on Evidence:**  has become distinctive of the goods/services, as demonstrated by the attached evidence.



[Click here to Attach/Remove §2\(f\) Evidence](#)

**NAME(S), PORTRAIT(S), SIGNATURE(S) OF INDIVIDUAL(S):**

The name(s), portrait(s), and/or signature(s) shown in the mark identifies , whose consent(s) to register is made of record.

[Click here to Attach/Remove Consent\(s\)](#)

☐ The name(s), portrait(s), and/or signature(s) shown in the mark does not identify a particular living individual.

- ☒ **SUPPLEMENTAL REGISTER:** The applicant seeks registration of the mark on the Supplemental Register (i.e., a change of the words 'Principal Register' to 'Supplemental Register').
- ☒ The applicant has separately filed an Allegation of Use, to change the basis of this application from Section 1(b), intent-to-use, to Section 1(a), use in commerce, making conversion to the Supplemental Register permissible.

**CONCURRENT USE:** Enter the appropriate concurrent use information, e.g., specify the goods and the geographic area for which registration is sought. WARNING: Enter text in the box only if you (1) intend to initiate a concurrent use registration proceeding before the Trademark Trial and Appeal Board; or (2) have a final determination by a court establishing your concurrent right to use the same or similar mark in commerce in a limited geographic area.

- ☒ **MISCELLANEOUS STATEMENT:** Enter information here ONLY if no other section of the form is appropriate. **FAILURE TO FOLLOW THIS INSTRUCTION WILL CAUSE SIGNIFICANT DELAYS IN THE PROCESSING AND REVIEW OF YOUR SUBMISSION.** If you wish to **DELETE (WITHDRAW)** a statement previously submitted, you may indicate that here through an instruction. *E.g.*, "Please delete the disclaimer currently of record."

[Click here to Attach/Remove Miscellaneous](#)



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Trademark Electronic Application System - TEAS Application

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 PTO Form 1957 (Rev. 10/2011)  
 OMB No. 0651-0050 (Exp. 07/31/2017)

## Response To Office Action

TEAS - Version 5.3 : 01/17/2015

### Mark Information

**Note:** While minor changes in the mark are *sometimes* permitted, any material alteration will NOT be permitted and will result in a refusal being issued on that ground.

☐ If you have read and understood the above notice, you must check the box before you enter the proposed new mark.

\* Click the appropriate circle to indicate the Mark type: ☒ [Standard Characters](#) ☐ [Special Form \(Stylized and/or Design\)](#) ☐ [Sound Mark](#)

Use this section if you wish to modify a word(s), letter(s), and/or number(s) with **no** design element **and** without claim to any particular font style, size or color.

Add/Modify the [Standard Characters](#) mark here: (Note: The entry can be in capital letters, lower case letters, or a combination thereof.)

Preview USPTO-Generated Image

**NOTE:** After previewing the USPTO-generated image, if you object to the display of the mark, then you must use "Special Form (Stylized and/or Design)" option. Therein, you could attach your own image file and check a box to claim standard characters. However, the appropriateness of the standard character claim would later be determined as part of the examination of the application. For how the USPTO determines what the display of the entered mark will be, click [here](#).

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### Owner Information

Note: If this change relates to a change in the correspondence address or e-mail, please use the [Change of Correspondence Address Form](#).

#### \* Owner of Mark

[If an individual, use the following format: Last Name, First Name Middle Initial or Name, if applicable]

- ☐ DBA (doing business as) ☐ AKA (also known as)  
☐ TA (trading as) ☐ Formerly

#### Entity Type

- ☒ [Individual](#)  
☐ [Corporation](#)  
☐ [Limited Liability Company](#)  
☐ [Partnership](#)  
☐ [Limited Partnership](#)  
☐ [Joint Venture](#)  
☐ [Sole Proprietorship](#)  
☐ [Trust](#)  
☐ [Estate](#)  
☐ [Other](#)

#### Country of Citizenship

Note: You may correct an error or omission in the original listing. However, if the State/Country of Incorporation has actually changed, you should file an [assignment document form PTO-1594](#).

#### Internal Address

#### \* Street Address

NOTE: You must limit your entry here, and for all remaining fields within this overall section (except City, see below), to no more than 40 characters (the storage limit for the USPTO database). You may need to abbreviate some words, e.g., St. instead of Street. Failure to do so may result in an undeliverable address, due to truncation at the 40 character limit.

#### \* City

NOTE: You must limit your entry here to no more than 22 characters.

#### \* State (Required for U.S. applicants)

NOTE: You must include as part of the "city" entry any information related to geographical regions (e.g., provinces) not found in the dropdown lists for "States" or "Countries." Enter the city and then the geographical region, separated by a comma (e.g., Toronto, Ontario). In most instances, you will then also have to select the country within which the region is found, below.

#### \* Country or U.S. Territory

#### \* Zip/Postal Code (Required for U.S. applicants only)

#### Phone Number

#### Fax Number




While the application may list an e-mail address for the owner, owner's attorney, and/or owner's domestic representative, **only one** e-mail address may be used for correspondence, in accordance

Internet  
E-mail Address

with [Office policy](#). The owner must keep this address current in the Office's records.

☐ Check here to [authorize](#) the USPTO to communicate with the owner via e-mail.

NOTE: By checking this box, the owner acknowledges that it is solely responsible for receipt of USPTO documents sent via e-mail. The owner should periodically check the status of its application through the [Trademark Status & Document Retrieval \(TSDR\)](#) system, to see if the assigned examining attorney has e-mailed an Office Action. If an action has been sent to the provided e-mail address, the USPTO is not responsible for any e-mail not received due to the owner's security or anti-spam software, or any problems within the owner's e-mail system. All sent actions can be viewed on-line, from [Trademark Status & Document Retrieval \(TSDR\)](#).

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### CLASSIFICATION AND LISTING OF GOODS/SERVICES

#### Enter information for the New Class

\*International Class:  (Enter class number 001 - 045, A, B and 200)

\* Listing of Goods/Services [NOTE: Do not enter a Class or any other code in the field below. You must enter only the common commercial name for the specific goods and/or services associated with the mark. Also, do not include any html or other programming code or language that may create links in the listing of goods and/or recitation of services]. For more information about acceptable language for the goods and/or services, see the USPTO's on-line [Goods and/or Services Manual](#). If entering multiple listings of goods/services, please separate with a semi-colon (;), NOT a comma.

**WARNING:** Your entry may NOT exceed the scope of your original identification. While you may modify the original listing to clarify or remove goods/services, you may NOT at this point ADD goods or services. A new filing would be required to cover any new goods or services.

**WARNING: Registration Subject to Cancellation for Fraudulent Statements**

You must ensure that statements made in filings to the USPTO are accurate, as inaccuracies may result in the cancellation of a trademark registration. The lack of a bona fide intention to use the mark with **all** goods and/or services included in an application, or the lack of use on **all** goods and/or services for which you claim use, could jeopardize the validity of the registration and result in its cancellation.

☐ **Filing Basis Section 1(a)**, Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. **WARNING:** If you filed your original application under Section 1(b), Intent to Use, do **not** use this form to submit dates of use and a specimen, unless responding to a specimen issue created by an already filed Allegation of Use. Otherwise, you must file the specific [Allegation of Use](#) form (Statement of Use/Amendment to Allege Use). Filing an Allegation of Use is not a proper response to an Office action.

Date of First Use of Mark Anywhere by the applicant, or the applicant's related company, licensee, or predecessor in interest at least as early as  (MM/DD/YYYY)

Date of First Use of Mark Commerce by the applicant, or the applicant's related company, licensee, or predecessor in interest at least as early as  (MM/DD/YYYY)

#### Specimen File

**NOTE:** For an **instructional video** on what is an appropriate specimen for a good or service, [click here](#). (To view video, you must have Windows Media Player installed. For information about downloading Windows Media Player, [click here](#).)

Click on the 'Attach' button to select the file in JPG/PDF format (not exceeding 5 megabytes per attachment) or .WAV, .WMV, .WMA, .MP3, .MPG, or .AVI format (not exceeding 5 megabytes for sound files or 30 megabytes for motion files).

**WARNING:** Submission of an overall response as a PDF file is **NOT** permissible; i.e., do not use this section, or any other section, of the form to attach a multi-page document consisting of arguments, evidence, revised identifications of goods/services, additional statements, etc. Any portion of the this form that exists for a specific purpose must be used for that purpose, rather than trying to "shoehorn" a complete ROA within one PDF file.

**FAILURE TO FOLLOW THIS INSTRUCTION WILL CAUSE SIGNIFICANT DELAYS IN THE PROCESSING AND REVIEW OF YOUR RESPONSE.** For complete requirements concerning PDF files, click [here](#).

0 file(s) attached

Describe what the specimen submitted consists of:



\*If [additional or new specimen\(s\)](#) is being submitted, check the appropriate statement: **[WARNING: You must select the appropriate statement below for the substitute specimen to be acceptable. Please refer to the Office action to which you are responding and select the statement specifically referenced therein.]**  
☐ **"The substitute (or new, if appropriate) specimen(s) was/were in use in commerce at least as early as the filing date of the application"** *[for an application based on Section 1(a), Use in Commerce]* OR **"The substitute (or new, if appropriate) specimen(s) was/were in use in commerce prior either to the filing of the Amendment to Allege Use or expiration of the filing deadline for filing a Statement of Use"** *[for an application based on Section 1(b) Intent-to-Use]*.

☐ **Filing Basis Section 1(b)**, Intent to Use: The applicant has had a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services as of the application filing date. (15 U.S.C. Section 1051(b)).  
**WARNING:** If your goods or services for this class are already based on Section 1(a), use in commerce, do not also check this basis for the identical goods or services.  
**WARNING:** If you select this option, additional filing(s) and fee(s) will be required when you begin use of the mark in commerce in order to receive a registration. For more information, [click here](#) (see first and second forms on linked page).

☐ **Filing Basis Section 44(d)**, Priority based on foreign filing: Applicant has a bona fide intention to use the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application, and asserts a claim of priority based upon a foreign application. 15 U.S.C. Section 1126(d), as amended.

Foreign Application Number

Note: The USPTO database can only store 12 characters for this field. You should adjust your entry if possible, eliminating any unnecessary leadings 0's or country abbreviations, for example.

Date of Foreign Filing

(MM/DD/YYYY)

Country of Foreign Application

☐ At this time, the applicant does NOT intend to rely on Section 44(e) as a basis for registration, but wishes only to assert a valid claim of priority.

**WARNING:** Do NOT check this box if the Section 44(d) basis is the **ONLY** basis either for the overall application or a specific good or service.

☐ **Filing Basis Section 44(e)**, Based on Foreign Registration: Applicant has a bona fide intention to use the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application, and either attaches a copy of the foreign registration certificate, and translation thereof, or will submit a copy of the foreign registration/translation before the application may proceed to registration, in accordance with 15 U. S.C. 1126(e), as amended.

Foreign Registration Number

Note: The USPTO database can only store 12 characters for this field. You should adjust your entry if possible, eliminating any unnecessary leadings 0's or country abbreviations, for example.

Foreign Registration Date

(MM/DD/YYYY)

Date Foreign Registration Renewed (if applicable)

(MM/DD/YYYY)

Expiration Date of Foreign Registration

(MM/DD/YYYY)

Country of Foreign Registration

[Attach Foreign Registration](#)  
Click on the 'Browse' button to select the file in JPG/PDF format (not exceeding 5 megabytes per attachment).  
**WARNING:** Submission of an overall response as a PDF file is **NOT** permissible; i.e., do not use this section, or any other section, of the form to attach a multi-page document consisting of arguments, evidence, revised identifications of goods/services, additional statements, etc. Any portion of the this form that exists for a specific purpose must be used for that purpose, rather than trying to "shoehorn" a complete form within one PDF file.  
**FAILURE TO FOLLOW THIS INSTRUCTION WILL CAUSE SIGNIFICANT DELAYS IN THE PROCESSING AND REVIEW OF YOUR RESPONSE.** For complete requirements concerning PDF files, click [here](#).

Click here to Attach Foreign Registration(s)

0 file(s) attached

☐ Check here if the foreign registration that is the basis of the U.S. application under §44(e) of the Trademark Act (15 U.S.C. §1126(e)) includes a claim of standard characters or the country of origin's standard character equivalent.  
**WARNING:** If this box is NOT checked, then the designation of the mark as "Standard Character Mark" will automatically be changed from "YES" to "NO."





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### FEE INFORMATION

Amount	<input type="text" value="0"/> number of Classes Paid x \$225 (per class) for <a href="#">Application fee for TEAS Plus form</a> = \$ <input type="text" value="0"/>
	<input type="text" value="0"/> number of Payments Refused or charged back x \$50 for <a href="#">Additional fee processing for each payment refused or charged back</a> = \$ <input type="text" value="0"/>
	TOTAL AMOUNT = \$ <input type="text" value="0"/>
	<input type="checkbox"/> I hereby elect to by-pass any fee edit for an added class(es), because I believe the original fee payment was sufficient. I understand that the examining attorney could still, upon later review, require a fee payment. NOTE: You may wish not to by-pass this requirement if the examining attorney's office action is a final action.

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### DECLARATION SIGNATURE

The declaration must be signed by someone who is a "proper party to sign on behalf of applicant" under [Trademark Rule 2.33](#). If not required, the declaration may simply be left unsigned. However, the information for the Response Signature section must always be entered.

Click to choose ONE [signature method](#):

- ☒ Sign electronically [directly](#) on this response form ☐ E-mail [Text Form](#) to second party for electronic signature ☐ [Handwritten pen-and-ink signature](#)

**NOTE:** If signing the declaration electronically, it will not be "signed" in the sense of a traditional paper document. The signatory must enter any alpha/numeric character(s) or combination thereof of **his or her choosing**, preceded and followed by the forward slash (/) symbol. The USPTO does not determine or pre-approve what the entry should be, but simply presumes that this specific entry has been adopted to serve the function of the signature. Most signatories simply enter their names between the two forward slashes, although acceptable "signatures" could include /john doe/, /jd/, or /123-4567/.

☐ I hereby elect to bypass the submission of a signed declaration, because I believe a declaration is not required by the rules of practice. I understand that the examining attorney could still, upon later review, require a signed declaration.  
**WARNING:** If the examining attorney has required a signed declaration in a final office action, bypassing this requirement may result in your application being abandoned for failure to submit a complete response.

**DECLARATION:** The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements and the like may jeopardize the validity of the application or submission or any registration resulting therefrom, declares that, if the applicant submitted the application or amendment to allege use (AAU) unsigned, all statements in the application or AAU and this submission based on the signatory's own knowledge are true, and all statements in the application or AAU and this submission made on information and belief are believed to be true.

**STATEMENTS FOR UNSIGNED SECTION 1(a) APPLICATION/AAU:** If the applicant filed an unsigned application under 15 U.S.C. Section 1051(a) or AAU under 15 U.S.C. Section 1051(c), the signatory additionally believes that: the applicant is the owner of the trademark/service mark sought to be registered; the applicant or the applicant's related company or licensee is using the mark in commerce and has been using the mark in commerce as of the filing date of the application or AAU on or in connection with the goods/services in the application or AAU, and such use by the applicant's related company or licensee inures to the benefit of the applicant; the original specimen(s), if applicable, shows the mark in use in commerce as of the filing date of the application or AAU on or in connection with the goods/services in the application or AAU; and to the best of the signatory's knowledge and belief, no other person has the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion or mistake, or to deceive.

**STATEMENTS FOR UNSIGNED SECTION 1(b)/SECTION 44 APPLICATION:** If the applicant filed an unsigned application under 15 U.S.C. Section 1051(b), Section 1126(d), and/or Section 1126(e), the signatory additionally believes that: the applicant is entitled to use the mark in commerce; the applicant has a bona fide intention and has had a bona fide intention as of the application filing date to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the goods/services in the application; and to the best of the signatory's knowledge and belief, no other person has the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion or mistake, or to deceive.



**NOTE:** Only one signature is required, regardless of the number of applicants. The person signing for each section may be different, depending on who has the required knowledge to sign. To add a signature option, if appropriate, use the "Add Signatory" button, *below*.

* <a href="#">Signature</a>	<input type="text"/>	* <a href="#">Date Signed</a>	<input type="text"/> (MM/DD/YYYY)
* <a href="#">Signatory's Name</a>	<input type="text"/>		
* <a href="#">Signatory's Position</a>	<input type="text"/>		
	<b>NOTE:</b> Enter the appropriate title or the relationship to the applicant - if an individual, enter "Owner;" if an attorney, enter "Attorney of record, [specify at least one state] bar member;" if an authorized signatory of a business entity enter, <i>e.g.</i> , "President," "Vice President," "General Partner" (if a partnership), or "Principal" (if a limited liability company).		
<a href="#">Signatory's Phone Number</a>	<input type="text"/>		

Add Signatory

RESPONSE SIGNATURE

Click to choose ONE [signature method](#):

- ☒ Sign electronically [directly](#) on this response form   ☐ E-mail [Text Form](#) to second party for electronic signature

**NOTE:** Although a possible combination as selected on the form, the following can NOT be used: declaration signed directly and response signed through the e-mail text form approach.

**NOTE:** If signing the response electronically, it will not be "signed" in the sense of a traditional paper document. The signatory must enter any alpha/numeric character(s) or combination thereof of **his or her choosing**, preceded and followed by the forward slash (/) symbol. The USPTO does not determine or pre-approve what the entry should be, but simply presumes that this specific entry has been adopted to serve the function of the signature. Most signatories simply enter their names between the two forward slashes, although acceptable "signatures" could include /john doe/; /jd/; or /123-4567/.

\*You **must** click **one** of the three buttons, *below*, to confirm that you are authorized pursuant to the rules governing representation of others before the USPTO to sign this form. 37 C.F.R. Part 10.

- ☐ **Unrepresented Applicant:** I hereby confirm that
- No authorized attorney or Canadian attorney/agent [represents](#) me in this matter, and that I am either (1) the applicant or (2) a person(s) with legal authority to bind the applicant; and
  - If an authorized U.S. attorney or Canadian attorney/agent previously represented me in this matter, either I have filed a signed revocation of power of attorney with the USPTO or the USPTO has granted the request of my prior representative to withdraw.

**ADVISORY:** You may click this first button *only* if you are the applicant or legally authorized to bind the applicant, *e.g.*, an officer of the applicant corporation or association, or a general partner of the applicant partnership. See [TMEP §§712.01 et seq.](#)

- ☐ **Authorized U.S. Attorney:** I hereby confirm that
- I am an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and
  - I am currently the applicant's attorney or an [associate](#) thereof; and
  - To the best of my knowledge, if prior to my appointment another U.S. attorney or a Canadian attorney/agent **not currently associated with my company/firm** previously [represented](#) the applicant in this matter: (1) the applicant has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the applicant has filed a power of attorney appointing me in this matter; or (4) the applicant's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing me as an associate attorney in this matter.

- ☐ **Authorized Canadian Attorney/Agent:** I hereby confirm that
- I am a Canadian attorney/agent, or an associate thereof, who [represents](#) an applicant located in Canada;
  - I am either registered with the USPTO and in good standing as a patent agent under 37 C.F.R. §11.6(c) or I have been granted reciprocal recognition under 37 C.F.R. §11.14(c) by the USPTO's Office of Enrollment and Discipline; and
  - To the best of my knowledge, if prior to my appointment another Canadian attorney/agent or a U.S. attorney **not currently associated with my company/firm** previously [represented](#) the applicant in this matter: (1) the applicant has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the applicant has filed a power of attorney appointing me in this matter; or (4) the applicant's appointed Canadian attorney/agent or U.S. attorney has filed a power of attorney appointing me as an associate attorney in this matter.

**ADVISORY:** Foreign attorneys (other than authorized Canadian attorneys/agents) cannot sign this form and are prohibited from representing an applicant before the USPTO in trademark matters.

**NOTE:** If more than one applicant/registrant, **ALL** must sign the overall submission.

* <a href="#">Signature</a>	<input type="text"/>	* <a href="#">Date Signed</a>	<input type="text"/> (MM/DD/YYYY)
* <a href="#">Signatory's Name</a>	<input type="text"/>		
* <a href="#">Signatory's Position</a>	<input type="text"/> <b>NOTE:</b> Enter the appropriate title or the relationship to the applicant - if an individual, enter "Owner;" if an attorney, enter "Attorney of record, [ <b>specify at least one state</b> ] bar member;" if an authorized signatory of a business entity enter, <i>e.g.</i> , "President," "Vice President," "General Partner" (if a partnership), or "Principal" (if a limited liability company). Broad designations such as "Authorized Signatory" and "Trademark Administrator" are <b>not</b> acceptable. <b>NOTE:</b> If the attorney signing is from the same United States firm as the attorney of record, but was not listed in the original filing and is not otherwise of record, include firm name to establish acceptability of signature. E.g., Associate Attorney, Smith, Jones & Davis, Virginia Bar Member. <i>See</i> TMEP §604.01.		
<a href="#">Signatory's Phone Number</a>	<input type="text"/>		

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## Response To Office Action

### Validation Page

On \_\_\_\_\_ you completed all mandatory fields and successfully validated the form. It has NOT been filed to the USPTO at this point. Please complete all steps below to submit the form.

■ **STEP 1:** Review the Response data, available below in various formats, by clicking on any of the phrases listed under Response Data. Use the print function within your browser to print these pages for your own records.

**NOTE:** At the point of final validation, it is critical to confirm that **all** information is displayed properly immediately before filing *regardless* of the appearance of the data at any point earlier in the process. If any previously-entered argument text or image files (e.g., evidence) are now missing, you must re-enter or re-attach before final submission. Otherwise, the USPTO will not receive a complete Response. E.g., if you initially pasted text into the argument field, but the argument section is now blank, you must paste it in again after final validation but before actual submission of the Response, or the USPTO will not receive that text at all. For information about the "track change" feature used when an identification of goods/services is modified, click [here](#). **New**

**WARNING:** After submission of this form, some characters may be displayed in a manner not exactly identical to what was originally entered, because various USPTO systems cannot display/print certain characters. The USPTO will convert any problematic character(s) to the closest acceptable equivalent(s). For a complete table highlighting which characters will be converted, click [here](#).

**Note:** If you are using the e-signature approach or the handwritten pen-and-ink signature approach, you must click on the final link to access the specific "text form" for that purpose.

#### Response Data

[Input](#)
[Mark](#)
[XML File](#)
[Textform](#)

■ **STEP 2 :** If any of the information is incorrect, click on the Go Back to Modify button at the bottom of this page to return to the Response form and make changes.

**Note:** If you originally selected standard character format, but are not satisfied with USPTO-created image of mark (accessed above):

1. Return to the Mark Information Section;
2. Select the Stylized/Design format;
3. Affix your own JPG file;
4. Check the box to claim that the mark is presented in standard character format; and
5. Enter the literal element of the mark in the appropriate field.

If you do not have a JPG image file ready at this time, you should

1. Save this application, using the Download Portable data button at the bottom of this page;
2. Create your own JPG image file of the mark;
3. Retrieve the saved form; and"
4. Continue as per steps 1-5, above."

■ **STEP 3:** If there are no errors and you are ready to file this Response electronically, confirm the e-mail address for acknowledgment. Once you submit an Response electronically, we will send an electronic acknowledgment of receipt to the e-mail address entered below. If no e-mail address appears, you must enter one. If we should send the acknowledgment to a different e-mail address, or to an additional address(es), please enter the proper address or additional address(es). For **multiple addresses/receipts**, please separate e-mail addresses by either a **semicolon** or a **comma**.

**NOTE:** This e-mail address is only for the purpose of receiving the acknowledgment that the transmission reached the USPTO, and is not related to the e-mail that will be used for correspondence purposes (although it could be the same address). The official e-mail address that the USPTO will use for any communication is whatever appears in the record for that purpose. If necessary, use the Change of Correspondence address form to update an e-mail address, as it will NOT be changed based on the specific entry below.

\* E-mail for acknowledgment

To ensure we can deliver your e-mail confirmation successfully, please re-enter your **e-mail address(es)** here:

\* E-mail for acknowledgment

■ **STEP 4:** To download and save the Response, click on the Download [Portable Data](#) button at the bottom of this page. The information will be saved to your local drive. To begin the submission process with saved data, you must open a new form, and click on the "Browse/Choose

File" button displayed on the initial form wizard page, at "[OPTIONAL] To access previously-saved data, use the "Browse/Choose File" button below to access the file from your local drive." REMINDER: Do NOT try to open the saved .obj/.xml form directly. You must return to the very first page of the form, as if starting a brand new form, and then use the specific "Browse/Choose File" button on that page to import the saved file. Clicking on the "Continue" button at the bottom of that first page will then properly open the saved version of your form.

■ STEP 5: Read and check the following:

Important Notice:

☐ I hereby [confirm](#) that I am aware that this response, to be considered "complete," should address each issue requiring response in the Office action or any previous Office action incorporated by reference, and further confirm that this response does not consist only of a signature (unless the missing signature was the sole issue raised in the Office action).

■ STEP 6: If you are ready to file electronically:  
Click on the Pay/Submit button at the bottom of this page. NOTE: If a fee payment is required, screens for entering payment information will come up after you have clicked on the Pay/Submit button. After successful entry of payment information, you can complete the submission to the USPTO. A complete transaction will result in a screen that says **SUCCESS!** Within 24 hours, the email acknowledgment will also be sent.

**WARNING:** Click on the Pay/Submit button ONLY if you are now entirely prepared to complete the Pay/Submit process. After clicking the button, you can **NOT** return to the form, since you will have left the TEAS site entirely. Once in the separate payment site, you **must** complete the Pay/Submit process within **30 minutes**. If you are not prepared to complete the process now, you should select the "Download Portable Data" option to save your form, and then complete the Pay/Submit process later. Or, if you have discovered any error, use the "Go Back to Modify" button to make a correction. If you are not prepared to complete the process now, you should select the "Download Portable Data" option to save your form, and then complete the Pay/Submit process later. Or, if you have discovered any error, use the "Go Back to Modify" button to make a correction.

**WARNING:** Fee payments by credit card may not be made from 2 a.m. to 6 a.m. Sunday, Eastern Standard Time. If you are attempting to file during that specific period, you must use either (1) the deposit account or electronic funds transfer payment method ; or (2) the "Download Portable Data" option to save your form, and then complete the Pay/Submit process later for a credit card payment .

Go Back to Modify

Download Portable Data

Pay / Submit

[Burden/Privacy Statement](#) | [TEAS Form Burden Statement](#)



# Response to Office Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	
LAW OFFICE ASSIGNED	
MARK SECTION (current)	
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font style, size or color.
MARK SECTION (proposed)	
MARK	<a href="#">mark.jpg</a>
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font style, size or color.
OWNER SECTION (current)	
NAME	
STREET	
CITY	
STATE	
ZIP/POSTAL CODE	
COUNTRY	United States
OWNER SECTION (proposed)	
NAME	
STREET	
CITY	
STATE	
ZIP/POSTAL CODE	

COUNTRY	
ARGUMENT(S)	
aaaaaaaaaaaaaaaa	
GOODS AND/OR SERVICES SECTION (025)(current)	
INTERNATIONAL CLASS	
DESCRIPTION	
FILING BASIS	
FIRST USE ANYWHERE DATE	At least as early as
FIRST USE IN COMMERCE DATE	At least as early as
FILING BASIS	
GOODS AND/OR SERVICES SECTION (025)(proposed)	
INTERNATIONAL CLASS	
TRACKED TEXT DESCRIPTION	
FINAL DESCRIPTION	
FILING BASIS	
FIRST USE ANYWHERE DATE	At least as early as
FIRST USE IN COMMERCE DATE	At least as early as
FILING BASIS	
GOODS AND/OR SERVICES SECTION (001)(class added)	
INTERNATIONAL CLASS	
DESCRIPTION	
FILING BASIS	
ADDITIONAL STATEMENTS SECTION	
DISCLAIMER	No claim is made to the exclusive right to use apart from the mark as shown.
PAYMENT SECTION	
NUMBER OF CLASSES	1
FEE PER CLASS	225
TOTAL FEES DUE	225
SIGNATURE SECTION	
DECLARATION SIGNATURE	



SIGNATORY'S NAME	
SIGNATORY'S POSITION	
DATE SIGNED	
RESPONSE SIGNATURE	
SIGNATORY'S NAME	
SIGNATORY'S POSITION	
DATE SIGNED	
AUTHORIZED SIGNATORY	

## Response to Office Action Form

**Original Mark:**

**Proposed Mark:** (USPTO-generated image for standard character format)

Back



# Response to Office Action

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## To the Commissioner for Trademarks:

Application serial no. \_\_\_\_\_, see [mark](#)) has been amended as follows:

### MARK

Applicant proposes to amend the mark as follows:

Current: \_\_\_\_\_ (standard characters, see [mark](#))

Proposed (USPTO generated image): \_\_\_\_\_ (Standard Characters, see [mark](#))

The mark consists of standard characters, without claim to any particular font, style, size, or color.

### ARGUMENT(S)

In response to the substantive refusal(s), please note the following:

### CLASSIFICATION AND LISTING OF GOODS/SERVICES

Applicant proposes to amend the following class of goods/services in the application:

#### Current:

Original Filing Basis:

Filing Basis: Section 1(b), Intent to Use: The applicant has had a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application. (15 U.S.C. Section 1051(b)).

Filing Basis: Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as \_\_\_\_\_ and first used in commerce at least as early as \_\_\_\_\_, and is now in use in such commerce.

#### Proposed:

Tracked Text Description:

Filing Basis: Section 1(b), Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application. (15 U.S.C. Section 1051(b)).

Filing Basis: Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as \_\_\_\_\_ and first used in commerce at least as early as \_\_\_\_\_, and is now in use in such commerce.

Applicant hereby adds the following class of goods/services to the application:

#### New:

Filing Basis: Section 1(b), Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related

company or licensee the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application. (15 U.S.C. Section 1051(b)).

#### **APPLICANT AND/OR ENTITY INFORMATION**

**Applicant proposes to amend the following:**

**Current:**

**Proposed:**

#### **ADDITIONAL STATEMENTS**

##### **Disclaimer**

No claim is made to the exclusive right to use apart from the mark as shown.

##### **FEE(S)**

Fee(s) in the amount of \$225 has been submitted.

##### **SIGNATURE(S)**

##### **Declaration Signature**

**DECLARATION:** The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements and the like may jeopardize the validity of the application or submission or any registration resulting therefrom, declares that, if the applicant submitted the application or amendment to allege use (AAU) unsigned, all statements in the application or AAU and this submission based on the signatory's own knowledge are true, and all statements in the application or AAU and this submission made on information and belief are believed to be true.

**STATEMENTS FOR UNSIGNED SECTION 1(a) APPLICATION/AAU:** If the applicant filed an unsigned application under 15 U.S.C. Section 1051(a) or AAU under 15 U.S.C. Section 1051(c), the signatory additionally believes that: the applicant is the owner of the trademark/service mark sought to be registered; the applicant or the applicant's related company or licensee is using the mark in commerce and has been using the mark in commerce as of the filing date of the application or AAU on or in connection with the goods/services in the application or AAU, and such use by the applicant's related company or licensee inures to the benefit of the applicant; the original specimen(s), if applicable, shows the mark in use in commerce as of the filing date of the application or AAU on or in connection with the goods/services in the application or AAU; and to the best of the signatory's knowledge and belief, no other person has the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion or mistake, or to deceive.

**STATEMENTS FOR UNSIGNED SECTION 1(b)/SECTION 44 APPLICATION:** If the applicant filed an unsigned application under 15 U.S.C. Section 1051(b), Section 1126(d), and/or Section 1126(e), the signatory additionally believes that: the applicant is entitled to use the mark in commerce; the applicant has a bona fide intention and has had a bona fide intention as of the application filing date to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the goods/services in the application; and to the best of the signatory's knowledge and belief, no other person has the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion or mistake, or to deceive.

**Signature:**      **Date:**

**Signatory's Name:**

**Signatory's Position:**

**Response Signature**



Signature:      Date: 11 10 09 12 03 04 05 06 07 08 09 10

Signatory's Name:

Signatory's Position:

The signatory has confirmed that he/she is not represented by either an authorized attorney or Canadian attorney/agent, and that he/she is either (1) the applicant or (2) a person(s) with legal authority to bind the applicant; and if an authorized U.S. attorney or Canadian attorney/agent previously represented him/her in this matter, either he/she has filed a signed revocation of power of attorney with the USPTO or the USPTO has granted the request of his/her prior representative to withdraw.

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